



U.S. Department of Justice

*United States Attorney
Southern District of New York*

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

November 27, 2018

BY ECF

Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Honorable Kimba M. Wood
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Luis Soto, et al., 18 Cr. 282 (VEC)*

United States v. Marlon Murray, 18 Cr. 823 (KMW)

United States v. Juan Carlos Delgado, 18 Cr. 824 (PGG)

Dear Judge Caproni, Judge Wood, and Judge Gardephe:

The Government respectfully submits this letter regarding three cases pending before Your Honors.

The indictment in *United States v. Luis Soto, et al.*, S3 18 Cr. 282, charges six defendants with participating in a conspiracy to distribute and to possess with the intent to distribute heroin, fentanyl, and cocaine. Two of the defendants in *Soto* are scheduled to go to trial on December 10, 2018; the others have entered guilty pleas and are awaiting sentencing.

On November 14, 2018, a grand jury returned the indictment in *United States v. Marlon Murray*, 18 Cr. 823 (KMW), which charges Marlon Murray with conspiring to distribute and to possess with the intent to distribute fentanyl and cocaine, and with the possession and distribution of fentanyl. Murray was arrested on November 15, 2018, and the case was wheeled out to Judge Wood. Murray was initially presented in magistrate court and arraigned, and had an

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initial appearance before Judge Wood on November 26, 2018. The next court appearance is scheduled for December 19, 2018.

On November 14, 2018, a grand jury returned the indictment in *United States v. Juan Carlos Delgado*, 18 Cr. 823 (PGG), which charges Juan Carlos Delgado with conspiring to distribute and to possess with the intent to distribute heroin, fentanyl, and cocaine. Delgado was arrested in Los Angeles on November 19, 2018. He was presented in the United States District Court for the Central District of California, and ordered detained and transported to the Southern District of New York. He has not yet been presented in this district, and does not have an attorney of record in this district. The case has been wheeled out to Judge Gardephe.

The Government respectfully submits this letter to inform Your Honors that the Government believes Murray and Delgado are members of the same overarching drug trafficking organization as the defendants in the *Soto* case. Murray is not connected directly to the trial defendants in the *Soto* case, and there will be no reference to him at the trial in the *Soto* case. With respect to Delgado, he had some connections with the *Soto* trial defendants and there will be some limited references to him in the upcoming trial in the *Soto* case, but there is only a partial overlap of evidence and the Government does not believe there is any need to consolidate the cases for trial. In addition, Murray and Delgado are not connected directly to each other, and the Government does not believe there would be any significant efficiencies from consolidating their cases together.

Respectfully submitted,

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Cc (by ECF): Counsel of record in *United States v. Soto*
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